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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,236	12/19/2000	Yutaka Takeishi	00USFP557-M.O.	4462

466 7590 05/28/2003 7

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EXAMINER

AK KAPEDDI, PRASAD R

ART UNIT	PAPER NUMBER
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2871

DATE MAILED: 05/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/739,236

Applicant(s)

TAKEISHI, YUTAKA

Examiner

Prasad R Akkapeddi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 24 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 1-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 16-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 19 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of claims 16-27 in Paper No. 6 is acknowledged. The traversal is on the ground(s) that the MPEP 806.05 (c) does not support the reasoning behind the restriction requirement. This is not found persuasive because of applicant's own admission that the Official Action's assertion that the subcombination has utility by itself (page 2, lines 10-16) appears to be correct.

The requirement is still deemed proper and is therefore made FINAL.

### ***Specification***

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 16-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyajima et al. (Miyajima) (U.S. Patent No. 4,652,932) in view of the applicant cited reference, Doi Akihiko (Doi) (JP-403116898A).

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a. As to claims 16 and 23: Miyajima discloses a liquid crystal display apparatus comprising a liquid crystal display screen (66) a board (104) used for the liquid crystal display screen, a variable electronic element (118) mounted in a mounting side of the board, the variable electronic element having an operating member (screw) to control an output (variable) to display an image. Miyajima does not explicitly go into any great details of mounting of the variable electronic element. Doi on the other hand, in disclosing an electric equipment discloses a board (13), a variable electronic element (volume resistor) and operating member (screw) (16), a through hole (17) at a position opposed to the volume resistor. The operating member (screw) points in the other side opposite to the mounting side of board and operation through the hole (Fig. 1). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to adapt the mounting configuration as disclosed by Doi to the display device of Miyajima such that the device can be handled rather easily.

As to claims 17-22 and 24-27: Doi discloses in Fig. 1 that the operating member (16) does not project from other side, since it is accessible through a printed circuit board (13) and the mounting configuration of the variable electronic element (16) through the printed circuit board; the covering of the hole by the printed circuit board (Fig. 1); the floating of the variable electronic element can also be seen in Fig. 1. Doi discloses the operation of the variable electronic element with a screw driver (20) through the hole (17) and as such the printed circuit board protects the element from mechanical stress and when such a

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board is mounted in the display of Miyajima, it would have been obvious to one having ordinary skill in the state of the art that such action will not apply any mechanical stress to the liquid crystal display screen, because the panel (66) has a lower shield plate (94) which is also supported by a support plate (96) and overlaps the display screen. Doi discloses that the variable electronic element is mounted through an attachment member (19) electronically and mechanically connected to the side which covers the hole; the recessed portion is shown with dashed lines.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to adapt the mounting configuration as disclosed by Doi to the display device of Miyajima such that the device can be handled rather easily.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prasad R Akkapeddi whose telephone number is 703-305-4767. The examiner can normally be reached on 7:00AM to 5:30PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H Kim can be reached on 703-305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0530.

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May 17, 2003

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